

VZCZCXRO8214
OO RUEHCHI RUEHDT RUEHHM RUEHNH
DE RUEHPF #0873/01 3290901
ZNR UUUUU ZZH
O 250901Z NOV 09
FM AMEMBASSY PHNOM PENH
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1401
INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY

UNCLAS SECTION 01 OF 02 PHNOM PENH 000873

SENSITIVE
SIPDIS

STATE FOR EAP/MLS, EAP/RSP, G/TIP, DRL

E.O. 12958: N/A

TAGS: [PGOV](#) [KTIP](#) [PHUM](#) [PREL](#) [KJUS](#) [KWN](#) [CB](#)

SUBJECT: CAMBODIA MINISTRY OF JUSTICE CONDUCTS TRAINING ON
TIP LAW AND DATA COLLECTION

SENSITIVE BUT UNCLASSIFIED

¶1. (SBU) SUMMARY: On November 20, the Ministry of Justice (MOJ) for the Royal Government of Cambodia (RGC) hosted the presiding judges, chief prosecutors, and chief clerks from each of the nation's courts at a National Trafficking Prosecution and Data Collection Workshop in Phnom Penh. The purpose of the workshop - proposed, planned, and implemented by the MOJ - was to improve the ability of Cambodia's jurists to charge TIP crimes under the 2008 Law on the Suppression of Human Trafficking and Sexual Exploitation and report their statistics in usable format. This event showcases the growing ability of the RGC to create and direct their own training programs. MOJ has also developed a database to track court reporting of prosecution and conviction statistics, a pilot of version of which is now complete. This is an example of the RGC's growing leadership, creation, and implementation of a system designed to combat human trafficking. END SUMMARY.

¶2. (SBU) MOJ Under Secretary of State Ith Rady conceived the idea for this training workshop for judicial officials, and worked for several months with USAID to implement it. Ith Rady identified the program participants at the provincial courts, created the curriculum for the workshop, and conducted the full training on November 20. More than 80 judges, prosecutors, and court clerks attended.

¶3. (SBU) The morning session of the workshop focused on improving the capacity of jurists to use the 2008 TIP law correctly, emphasizing how to charge crimes under the law and the elements necessary to prove those crimes. Ith Rady illustrated the legal framework of the law with concrete examples, calling on the judges and prosecutors to resolve difficult hypothetical cases within the law. The group engaged in detailed question and answer sessions about various articles of the law, and Ith Rady provided guidance and explanations of articles along with his presentation. Prosecutors and judges alike praised the session as very useful in helping them think about how to apply the law.

¶4. (SBU) The afternoon session focused on reporting prosecution and conviction data to the MOJ. Ith Rady explained how the statistics have a direct effect on Cambodia's efforts to combat TIP, echoing Deputy Chief of Mission Theodore Allegra's opening remarks that "reliable data is critical to understanding the areas where there has been success, and the areas in which there still needs to be improvement." Ith Rady distributed forms for collecting data, which he created and piloted with the Phnom Penh Municipal Court, and discussed how complete data is necessary in order to be added to the MOJ pilot database on TIP statistics. He emphasized the need for accurate and complete prosecution and conviction reporting to enable MOJ to match judicial work with arrest statistics provided by the Ministry of Interior (MOI). While MOJ prefers courts to provide monthly data, there was some discussion of moving to a

quarterly format, with reporting on the 15th day of April, July, October, and January to relieve pressure on courts that lack critical staffing resources to support consistent monthly reporting. The afternoon session was principally designed for the court clerks, but the judges' and prosecutors' understanding of the collection format is also critical in order to support the clerks' ability to submit accurate data to MOJ.

¶5. (SBU) MOJ has already proposed follow-up field visits to individual courts in the months ahead to assist and support courts in reporting on trafficking cases. The workshop and trafficking database are part of MOJ's larger effort to modernize its information systems and improve the reliability of case information. Ith Rady also chairs a joint MOJ-MOI working group to monitor and review criminal justice statistics, and mentioned creating additional training sessions based on the work of that group next year.

¶6. (SBU) COMMENT: This workshop is just one example of the RGC's growing capacity to take a concrete and direct role in leading efforts to combat TIP. While past RGC involvement allowed NGOs or donor countries to lead training efforts on TIP, this effort was wholly proposed, designed and executed by RGC officials. It is thus one of the first signs that NGO and donor support is shifting from providing training itself to providing logistic and technical support for it (such as securing training venues, printing RGC-produced training materials in volume, and feeding participants) while the RGC draws upon available resources to provide the training and curriculum itself. We expect this focus will grow as the new National Committee begins to work toward donor coordination

PHNOM PENH 00000873 002 OF 002

and collaboration with the RGC's anti-trafficking mission. This significant accomplishment is a clear sign of the RGC's growing leadership, creation, and implementation of a long-term policy to combat trafficking in persons. END
COMMENT.

RODLEY